

disclosure (see e.g. the description running from Page 10, Line 14, through Page 11, Line 15). No new matters have been introduced.

### **§102(e) Rejections Under Kalra**

In the June 15, 2001 Office Action, claims 1-10, 12-21, and 23-34 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,953,506 issued to Kalra et al. (hereinafter "Kalra"). As discussed below, Applicants respectfully submit that claims 1-10, 12-21, and 23-34 are not anticipated by Kalra.

Claim 1 of the present invention states:

In a client computer system, a method of operation comprising:  
determining operating characteristic value(s) for at least one operating characteristic of the client computer system;  
adaptively requesting streaming of model data from a remote content providing server, based at least in part on the determined operating characteristic value(s) of the at least one operating characteristic of the client computer system.

The plain language in this claim states that the determination of the operating characteristic values of the client computer system, as well as the adaptive requesting streaming of model data from a content providing server, are performed within the client computer system. The client computer system evaluates its operating characteristics, and based upon that evaluation determines the precision of model data it wants to receive, and then communicates the precise level of model data desired to the server.

Conversely, Kalra discloses a method in which the capabilities of a client computer are communicated to a server as a profile (Column 15, Lines 33-67, Column 16, Lines 1-22). The server then determines, based upon the profile received, the level of information to be transmitted (Column 16, Lines 37-42). Thus, unlike the present invention, under Kalra the client computer system has no control over the precision level of model data it receives. That is determined by the server.

Therefore, the present invention and Kalra teach away from each other. Neither anticipates the other. So, for at least the reasons stated above, Applicants respectfully submit that claim 1 is patentable over Kalra.

Claims 12, 23, 26, and 29 contain similar limitations as claim 1. Accordingly, for at least the same reason that claim 1 is patentable over Kalra, claims 12, 23, 26, and 29 are patentable over Kalra.

Claims 2-10, 13-21, 24, 25, 27, 28, 30-34, and new claims 35-38 are dependent on claims 12, 23, 26, or 29, and incorporate their limitations. Accordingly, for at least the same reason claims 12, 23, 26, and 29 are patentable over Kalra, claims 2-10, 13-21, 24, 25, 27, 28, and 30-34 are patentable over Kalra.

### **§103(a) Rejections Under Kalra**

In the June 15, 2001 Office Action, claims 11 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kalra. As discussed below,

Applicants respectfully submit that claims 11 and 22 are not obvious in view of Kalra.

Given that claim 11 is dependent upon claim 1, and claim 22 is dependent upon claim 12, and Kalra does not teach the art included in claims 1 and 12, as explained in the preceding section, accordingly, the invention as claimed in claims 11 and 22 could not be obvious in view of Kalra. Therefore, the present invention as claimed in claims 11 and 22 is patentable over Kalra.

Examiner has taken "Official Notice" that the concept of "dropping audio data frames" is "old and well known in the data communication art." Applicants disagree. However, in view of the foregoing discussion, it is not an issue that needs to be addressed.

In conclusion, Applicants respectfully submit that claims 1-38 are now in a condition for allowance, and Applicants respectfully request allowance of such claims.

Please charge any shortages and credit any overages to our Deposit

Account No. 501569.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the specification:**

Paragraph beginning at line 19 of page 8 has been amended as follows:

Multi-media contents of which model data **106** are a part is intended to represent a broad range of entertainment, educational, business and other multi-media contents of the like. In one embodiment, multi-media contents are multi-media games, where compartmentalized model data **106** include but not limited to geometry data, lighting data, coloring data, texturing data, animation data, and audio data associated with various models, e.g. a car, a person, an animal and so forth. The various versions of model data **106** are model data **106** compressed with various lossy compression techniques to provide various tradeoff levels between precision and transmission bandwidth requirement. These lossy compression techniques include but not limited to those known in the art, as well as compression techniques disclosed in co-pending U.S. patent application, number 09/399,062<to be assigned>, contemporaneously filed, and entitled "Data Compression Through Adaptive DataBit Size Reduction", and co-pending U.S. patent application, number 09/399,063<to be assigned>, contemporaneously filed, and entitled "Data Compression Through Offset Representation",, which are hereby fully incorporated by reference.